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TAGS: [ECON](#) [ETRD](#) [VM](#)
SUBJECT: TRADE AGREEMENT COMPLIANCE AND MONITORING

REF: STATE 152063

11. Below is post's response to reftel.

12. A. Description of how posts are currently organized for monitoring agreements and responding to foreign trade barrier complaints, including the establishment of teams at posts.

The Trade Agreement Compliance Team in Hanoi consists of the Economic Section, Foreign Commercial Section and Foreign Agricultural Section. The team meets weekly with the Ambassador to discuss trade agreement compliance and other economic and commercial issues.

13. B. Name of contact person at the post to coordinate post's periodic compliance reporting, field general compliance inquiries, and ensure complaints are reported promptly to relevant Washington agencies.

Janet G. Speck, Deputy Chief of the Economic Section

14. C. Description of complaint response activities at post, including examples of recent compliance successes and ongoing compliance issues.

There is an annual bilateral meeting to review the full range of Bilateral Trade Agreement (BTA) compliance issues with the Vietnamese. On the U.S. side, USTR usually leads the delegation, with participation from Embassy and other agencies as appropriate. This year a high ranking official from Vietnam's Office of the Government, which answers directly to the Prime Minister, led the Vietnamese team, which included broad interagency participation. In addition, the post promptly responds to compliance issues as they arise and reports on trends in compliance and business climate generally. The USAID-funded STAR project provides the Vietnamese Government (GVN) with comments on the compatibility of proposed legislation and regulations with BTA requirements and training on implementation. Its assistance has been crucial in ensuring that the mass of legislation that Vietnam passed in preparation for WTO accession met both BTA and WTO requirements.

15. The mission succeeded in pushing the GVN to remove a ban on imports of poultry products imposed November 2005. This resulted from a coordinated effort of the Chief of Mission, FAS and State/Econ. In WTO-accession negotiations, a coordinated effort between post, USDA and USTR won Vietnam's commitment immediately to roll back BSE restrictions and remove duplicative health certification requirements for meat and poultry imports, as well as ensured that these commitments were implemented as promised. Post

also persuade to the GVN to liberalize rules regarding hotel management contracts, which impeded U.S. business and conflicted with BTA requirements.

16. D. Description of proactive monitoring efforts at post.

The mission regularly reviews and updates its database on Vietnam's obligations under the U.S.-Vietnam Bilateral Trade Agreement (BTA) and its progress in compliance. Before the annual BTA compliance review, post sends to Washington a cable outlining all outstanding BTA compliance issues. On IPR, which is an issue of particular concern, the mission has prepared a strategy of initiatives, technical assistance, demarches, roundtables with business and other activities.

17. For SPS and other agricultural trade related issues, FAS offices in both Hanoi and Ho Chi Minh City are regularly in contact with the trade as to their concerns with imports of agricultural goods. FAS/Hanoi each year summarizes Vietnam's agricultural-related compliance issues and trade barriers, and formalizes agricultural trade strategy in two documents, the Trade Policy Monitoring Report and the Country Strategy Statement. These are provided to FAS/Washington and also shared with other interested mission members.

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